



**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
Children's Television Programming)	MB Docket No. 18-202
Rules)	
)	
Modernization of Media Regulation)	MB Docket No. 17-105
Initiative)	

**ERRATUM TO
Comments of FreedomWorks Foundation**

FreedomWorks Foundation hereby files this Erratum correcting an error in its comments filed in the above-referenced proceedings. FreedomWorks' timely filed submission inadvertently attached the incorrect document; the correct document is attached to this Erratum.

Please associate this Erratum with the original filing submitted September 24, 2018. A copy of the FCC acknowledgement of receipt of the original filing also is attached.

Respectfully submitted,

FreedomWorks Foundation

By: /s/ Patrick Hedger
Director of Policy
FreedomWorks Foundation

Date: September 25, 2018

Comments of the Regulatory Action Center

Re: MB Docket No. 18-202, Children's Television Programming Rules

September 24, 2018

The Regulatory Action Center at FreedomWorks Foundation is dedicated to educating Americans about the impact of government regulation on economic prosperity and individual liberty. FreedomWorks Foundation is committed to lowering the barrier between millions of FreedomWorks citizen activists and the rule-making process of government bureaus to which they are entitled to contribute.

On behalf of over 5.7 million activists nationwide, FreedomWorks Foundation appreciates the opportunity to offer these comments to the Federal Communications Commission (FCC) in support of the proposed changes to the Children's Television Programming Rules. Forcing broadcasters to air specific content is both unconstitutional and unnecessary. While the FCC is not empowered to entirely eliminate the requirements for broadcasters to air children's television programming, we support any effort to reduce the requirements to the extent permissible by statute.

Forcing broadcasters to set aside time and air content within parameters set by the government violates the First Amendment. The legal basis for compelled speech is the fairness doctrine as upheld by the Supreme Court in *Red Lion Broadcasting Co. vs. FCC*. However, integral to the Court's ruling was the issue of broadcast spectrum scarcity. The limited available spectrum in addition to technological limitations meant Americans had few choices in terms of television programming. While we would disagree with the Court's contention at the time as a sufficient reason for infringing upon broadcasters' First Amendment rights, television programming scarcity is clearly no longer an issue of any kind.

Television programming, including countless educational programs tailored to an adolescent audience, are available across several widely available technologies. Video programming is now available through cable television, satellite television, broadband internet, and wireless data connections. According to NCTA, The Internet and Television Association, 93 percent of American households have access to cable-based high speed internet, indicating both significant cable television and broadband internet penetration. Both offer near-limitless options for children's educational video programming, which are further available on-demand.

The limited availability of broadcast television options is no longer a limitation on the available options to families for children's educational television programming. This further erodes the already-flimsy constitutional justification for the existence of such forced-speech standards. For these reasons, we enthusiastically support the proposed reforms.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Patrick Hedger', with a stylized, flowing script.

Patrick Hedger
Director of Policy
FreedomWorks Foundation
111 K Street NE, Suite 600
Washington, DC, 20002



Patrick Hedger <phedger@freedomworks.org>

FCC ECFS Filing Confirmation

no-reply@fcc.gov <no-reply@fcc.gov>
To: phedger@freedomworks.org

Mon, Sep 24, 2018 at 11:43 PM

Thank you for your submission to the FCC Electronic Comment Filing System (ECFS).
Please Note that your filing will not be available for searching until it has been reviewed and posted by the FCC.

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Proceeding(s): 18-202 : MB Opens Docket for Children's Television Programming Rules

Filer(s): FreedomWorks Foundation

Author(s): Patrick Hedger

Law firm(s):

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Documents(s) Attached: FWF Comment Re- FCC MB Docket No. 05-311.pdf

Address: 111 K Street NE Suite 600, Washington, DC 20002